

APPROVED: MEETING No. 30-81

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 26-81

July 27, 1981

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, July 27, 1981, at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams  
(arrived at 8:40 p.m.)

Councilwoman Phyllis Fordham

Councilman John Freeland

ABSENT

Councilman John Tyner

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Roger Titus; City Clerk Helen Heneghan; Information Officer Sue M. Patterson; Chief of Police Jared Stout; Director of Public Works Robert Goodin; Director of Planning James M. Davis; Assistant City Manager Daniel Hobbs; Director of Community Resources Bertram Drayton; Director of Community Development Douglas Horne.

Re: City Manager's Report

Mr. Blick reported the following:

1. The State Highway Administration has completed the installation of a left turn signal at Park Road and Hungerford Drive.
2. A Building Permit was issued to the Rickman Construction Company for the construction of a 46,000 square foot office building in the Red Gate Industrial Park.
3. Construction of the 700,000 square foot Holiday Inn and Hotel Office complex on Rockville Pike at Halpine will be started this week. The estimated cost of construction is \$60 million. The construction time anticipated is 20 - 24 months.

Mayor Hanna asked that a letter be sent to the Rockville Volunteer Fire Department congratulating them on a good job in extinguishing the blaze at the office town house project at Jackson Place this week.

He noted that this is the last meeting for Ms. Jill Singer of the Washington Post. She has covered Council meetings for the Post for quite a while and the Council is grateful for her many fine articles and wishes her well.

Re: Award of Contract - CDBG  
Storm Drainage Projects

These three projects represent the final improvements presently proposed under the public works section of the CDBG program. They are designed to improve drainage conditions presently causing minor flooding and winter street icing problems.

The project costs exceed the original project authorization because of both high inflation in the three years since authorization, and also additional construction required because the detailed engineering investigation revealed that the originally conceived solutions were not adequate to solve the problems.

The preliminary investigation suggested that a change in the grade of the street surface would correct the ponding problem at Lewis and Gail. However, the detailed survey revealed that a storm water pipe with inlet structures was required.

Six bids were received as follows:

1. Pessoa Construction Company, Hyattsville, Maryland	\$27,444.00
2. Concrete General, Inc., Gaithersburg, Maryland	28,370.00
3. Pilot Construction Company, Burtonsville, Maryland	28,654.00
4. Rapp Contracting, Inc., Beltsville, Maryland	32,600.00
5. Schlegel & Son, Inc., Severna Park, Maryland	33,260.00
6. Flippo Construction Company, Washington, D. C.	45,496.00

Engineer's Estimate	\$28,825.00
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Total appropriation, including engineering	\$13,500.00
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Pessoa, the low bidder, is a minority firm, who has in the past worked on the City's annual concrete maintenance contract as a subcontractor. His performance was above average.

The appropriation will have to be increased to \$33,500 in order to accomplish all three projects. In addition to the construction contract, engineering fees of \$3,500 have been paid for design, and approximately \$1,500 will be required for inspection.

Staff recommends that the Mayor and Council authorize:

1. A transfer of the supplemental funds from the CDBG Year IV contingency account to the appropriate projects; and
2. An award of contract to the low bidder, Pessoa Construction Company, in the amount of their bid of \$27,444.00.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the contract for the Storm Drainage Projects was awarded to the Pessoa Construction Company, the low bidder, in the amount of \$27,444.00, and supplemental funds were transferred from CDBG Year V contingency account.

Re: Preliminary Review and  
Referral Text Amendment -  
T-47-81, Paisano's

The subject text amendment has been filed for the purpose of adding a "grandfather clause" to the Zoning and Planning Ordinance so that existing restaurant buildings in the TCO-1 Zone (Paisano's) will not be regarded as a nonconforming use, and may be expanded, altered and enlarged.

Mayor Hanna noted that it is a bad precedent to grandfather an establishment in the Town Center, since in this way, uses will come up that are inconsistent with the Plan. He saw no reason to ask the Planning Commission to spend time on an inconsistency. Councilwoman Fordham noted that she sees no reason why a restaurant should be non-conforming and should not be allowed to be enlarged since it would be an addition to the Town Center. She said if the Planning Commission knows reasons why this should not occur, they should bring those reasons forward.

On motion of Councilwoman Fordham, duly seconded, the text amendment was referred to the Planning Commission for further study, Councilmembers Fordham and Freeland voting aye and Mayor Hanna voting nay.

Re: Resolution: To approve  
amendments to the Rules of  
Procedure of the Rockville  
Animal Control Board

Resolution No. 20-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Resolution No. 20-81, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, amending the Animal Control Board's Rules of Procedure was adopted by the Mayor and Council.

Re: Introduction of Ordinance:  
To amend Chapter 12 of the  
Laws of Rockville, entitled  
Animal Control Regulations  
to make technical changes.

On motion of Councilman Freeland, there was introduced upon the table, an ordinance amending Chapter 12 of the "Laws of Rockville" entitled Animal Control Regulations, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance:  
To amend the Zoning Map of  
Rockville by adding Lots 2,  
4 and 6 and parts of Lots 1,  
3 and 5 in Block A of "Wheel  
of Fortune" duly recorded in  
Plat Book 25 at Plat 1600,  
Montrose West Lmt'd Partnership,  
Applicant

On motion of Councilman Freeland, there was introduced upon the table, an ordinance amending the zoning map by adding lots 2, 4 and 6 and parts of Lots 1, 3 and 5 in Block a of "Wheel of Fortune", said ordinance to lay over at least one week before final action is taken.

The Council noted that the introduction of this ordinance does not pre-determine the Council's decision in the annexation matter.

Re: Approval of Consultant  
Selection for Fields Road  
Interconnection

The three lowest priced consultants had the following number of points as determined by the approved rating process:

<u>Consultant</u>	<u>Price</u>	<u>Rating Points</u>
Macris, Hendricks, Witmer	\$8,326.00	10.5 points
Dewberry & Davis	\$8,810.00	10.0 points
Greenhorne & O'Mara	\$8,200.00	9.0 points

Kidde Consultants and Patton, Harris, Rust & Guy were at 7 and 6.5 points with fees exceeding \$10,000; and KLM Associates and PRC Toups Corporation were eliminated because of excessive fees (\$14,602 and \$39,072, respectively).

Greenhorne & O'Mara, though low bid, was third in rating points. Macris fee is 1.5 percent greater than the low bid. Macris, Hendricks & Witmer received the highest number of points for fee, key personnel, and geographical location and received the second highest number of points in "Time spent on project by key personnel" and "General evaluation and written proposal".

Councilman Freeland said he could not support the higher price if the lowest bidder is responsible as the staff reports. Mr. Goodin explained that it is a judgment award and the staff's recommendation is because of the higher number of points given to the Macris Company. The bidders were advised the award would not be given on the basis of the fee alone. Councilwoman Fordham said she has numerous problems with the point system and the method of awarding them. Mayor Hanna said ordinarily he would agree, but in this instance there are differences. If the straight competitive bid had been advertised, then the award should go to the low bidder. However, there are three items which legitimizes this process. The first, is the amount of the fee was determined not to be the sole criterion. The second, is although he does not like the category known as 'general evaluation of written proposals', striking it does not alter the outcome. And, the third, the low bidder failed to respond to 'time spent on the project by key personnel'. Councilwoman Fordham said points are awarded for an evaluation of the written proposal and she is not interested in how well they write. She prefers to know what type of engineers they are. Councilman Freeland agreed and said weighing the number of key personnel that would be working on a project that only costs \$8,000 is impossible. He said it is confusing and awkward and it causes the City to spend time explaining why there are two or three types of selection processes. For this reason, he cannot support it. The City Manager explained to the Council that there is a qualitative factor involved in these selections. The City is not only interested in getting prices, but also in superior workmanship. Councilwoman Fordham said the City Manager's point is well taken. She does not feel the City should just go for the lowest fee either, but at the same time, she feels the initial bid proposal should be done by telling people that both quality and quantity will be considered in the selection process.

Councilwoman Fordham moved, duly seconded, to award the contract to the Macris, Hendricks, & Witmer Company in the amount of \$8,326.00. The motion passed with Mayor Hanna and Councilwoman Fordham voting aye and Councilman Freeland voting nay.

Re: Authorization to file Text  
Amendment changing bonding  
requirements for Use Permit  
applicants

In order to guarantee satisfactory completion of site improvements and commonly owned property of condominiums and cooperatives, it is recommended that a new

section (1-304A Bonding Requirements) be added to the Zoning and Planning Ordinance.

After the developer of the Carter Hills Planned Residential Unit (PRU) went bankrupt, the City amended its ordinances to require performance bonds for the construction of commonly owned property in PRU's. The staff has concluded that two additional areas need to be covered by performance bonds. The first is to cover commonly owned property in condominium projects and cooperatives. The second is to cover site improvements and landscaping which must be completed following the granting of a temporary occupancy permit in any type of development.

Staff recommends that the Mayor and Council authorize the filing of a text amendment which requires all building applicants to present an approved performance and payment bond guaranteeing satisfactory completion of landscaping and site improvements of any new development covered by a Use Permit and referral of the application to the Planning Commission for review.

On motion of Councilman Freeland, duly seconded and unanimously passed, authorization was given to the staff for the filing of a text amendment to change the bonding requirements for use permit applicants.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Alan Sternstein, Potomac Woods Civic Association and member of the Board of Directors. Mr. Sternstein told the Mayor and Council that the Civic Association has made no further progress toward a compromise with Mr. Furman, the developer of the property on Seven Locks Road. The B. F. Saul Company will not grant an easement. The civic association suggests alternative access through Monroe Street or suggests use of the City's condemnation power to get property to the east. Mr. Sternstein said there are representatives, this evening, of other civic associations who share Potomac Springs' concern.

2. Tas Coroneous, President North Farm Civic Association, 28 Lily Pond Court. Mr. Coroneous said that his association would prefer to see fewer entrances on Seven Locks Road. Driving here this evening he noted the amount of traffic and he would much prefer to take Seven Locks Road to get to a Council meeting than to take I-270.

Mayor Hanna told Mr. Coroneous that he would like to clarify the matter since three seem to be mistaken impressions. The Mayor and Council's instruction to the staff were to seek an entrance for Mr. Furman at Fortune Terrace and

that means that the Mayor and Council are in complete agreement with the civic associations and share their views. However, the entrance at Fortune Terrace does not seem possible, and the Mayor and Council cannot force a property owner to allow access across his property, particularly, if it means a mortgage problem. The Mayor and Council and the civic associations are all on the same side in this matter, but it may not be possible to accomplish their goals. There is no way that the Mayor and Council can landlock a person's property or force a "yes". So far, no new idea has arisen as to how it can be done. Mr. Furman and the City and the citizens find themselves in a situation that is disagreeable. Mr. Sternstein asked if the Mayor and Council will use their condemnation powers. Mayor Hanna said that question is not appropriate at this time.

3. Don Boebel, president of the Rockshire Civic Association. Mr. Boebel said only by all the citizens working together with the Mayor and Council, can a viable solution be reached and one that will be acceptable to all, and he hopes that can come about.

4. Merry Ellen Poole, 207 Stratton Drive. Mrs. Poole told the Council that the Potomac Woods Civic Association supports the Potomac Springs' position. She knows the people in Potomac Springs feel that the annexation of this property is the first step toward turning Seven Locks Road into a Rockville Pike. She also noted that Cable TV is a big issue in her neighborhood.

Mayor Hanna said that the Mayor and Council is also worried about the creation of a second Rockville Pike which could happen if this property were to become commercial. The Mayor and Council is endeavoring to allow it to be an office building since there is a distinct advantage in a single building with limited traffic and a single controlled use and at this time all are striving to find a new solution to the problem.

5. Jimmy Clark, ROLM Company. Mr. Clark addressed the Council concerning the agenda item on the purchase of a City Hall telephone system. He said he was an unsuccessful bidder for the system and he feels that the Mayor and Council should closely address the evaluation criteria used and asked the questions on how many types of systems have been installed in this area. The memo given to the Council says 60, but that is nation wide and in fact, only one has been installed in this area. This system has only been on the market since 1968. The ROLM Company has 120 systems installed and working in this area and over 5,000 installed nationally. It is a system that can be used by blind operators and that alone denotes its flexibility and ease of use. Mayor Hanna asked Mr. Clark

if he is protesting the staff's recommendation or saying that anything improper has occurred. Mr. Clark said no, he just believes that some things were overlooked in the selection process and asked that the Mayor and Council ask the staff if one failure of a bit can cause the failure of a hundred phones.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Decision on contract with  
Montgomery County for provision  
of Youth Services

On July 31, 1981, the one-month extension of the FY 1981 County grant for Youth Services expires. This extension was necessary because the FY 1982 County grant differs from previous years' and requires a policy decision from the Mayor and Council.

Based upon several discussions with County staff, two options appear most likely in terms of County funding. One option is to agree to work with three schools outside the City: Perry High School, Parkland Junior High School, and Churchill High School. This would entail developing a contract within each school, visiting the school, and taking referrals from the guidance counselors there. This would have to be done with current staff, since additional funding is not available. Staff could probably accomplish this task by reallocating one recreation outreach position to work with these schools.

The net effect of this alternative would be to agree to the County contract funded at the \$65,350 level.

A second alternative would be to revise the City's proposal and submit a grant application for \$50,300, a reduction of one recreation outreach position (including fringe benefits). It would actually reduce staffing by the two recreation outreach positions (which are contractual positions), and have the current counseling staff perform recreation outreach functions equivalent to one man year of effort.

The City Manager recommends that the City does not expand the service area outside the City and eliminate the two recreation outreach positions (Alternative II).

Councilwoman Fordham suggested that this be taken up at a tax duplication committee meeting with the County since it is her feeling that Rockville is different from other areas being funded but that does not seem to have been addressed in any of the previous discussions. Mayor Hanna agreed.



On motion of Councilwoman Fordham, duly seconded and unanimously passed, the Mayor and Council agreed to the City Manager's recommendation of Alternative II which is revising the City's proposal and submitting a grant application of \$50,300., a reduction of one recreation outreach position, which is actually reducing staffing by the two recreation outreach positions. Then, the current counseling staff will perform recreation outreach functions equivalent to a one man year of effort.

Re: Decision on Areas of Critical  
State Concern

A public hearing on areas of critical State concern was held on July 20.

Councilwoman Fordham moved, that the wooded area between College Gardens and Woodley Gardens be recommended to the State as an area of critical State concern. The motion died for lack of a second. Councilman Freeland noted that he did not second Mrs. Fordham's motion since extensive discussions were held on that particular area in previous years and it was pointed out that the City has more to lose than to gain with the areas' inclusion in a State area and no problem exists with protection as long as the City retains control. He asked if there are any changes in the previous information. Councilwoman Fordham says there have been no changes but it is her feeling since it is a school site a State comment might be valuable. Mr. Davis pointed out that the State is generally not looking for small areas but more to thousand acre sites. For instance, the entire railroad system in the State of Maryland has been designated as an area of critical State concern. He noted that along with comments, the State has direct intervention ability. Councilman Abrams said it would seem better for the City to control its own land use and not give outsiders a foot in the door. Mayor Hanna agreed and noted the case of the Gude Landfill where the State withdrew its support.

On motion of Councilman Abrams, duly seconded and unanimously passed, the staff was instructed to advise the State that there are no areas of critical State concern in Rockville.

Re: Review of Recommendations for  
disposition of Maryvale School

In a letter to Mayor Hanna dated June 30, 1981, County Executive Gilchrist states that he has authorized the transfer of the Maryvale School property to the City of Rockville to be utilized for public purpose, e.g., a park. This offer is made subject to the condition that the City bear the cost of demolishing the school building. Demolition costs are estimated to be \$75,000.

Should the City not accept the property, Mr. Gilchrist says the County will sell it in order to recoup the cost of debt service of \$150,000 which would be payable to the State of Maryland when the property is no longer in public use.

The Maryvale School property consists of 4.63 acres of land. It is zoned R-60 residential. A preliminary analysis of the property indicates it could accommodate 15-18 residential lots. It is estimated that the raw land, after demolition of the building, could be sold for \$207,000.

Councilwoman Fordham suggested that the City begin negotiations with the County for the school and see if some method can be reached where the County can break even. Councilman Freeland suggested that the City find a way to assume the property and find the least expensive way of demolishing it until such time as the City finds a better use and open space be kept there in conjunction with the adjoining park. Councilman Abrams asked if the County were to sell, who would buy it and what type of development exists around it. Mr. Horne said that the property might support 15 to 18 units of R-60 conventional housing. Councilman Abrams said that might be the best solution for all involved. Maybe the City could act to bring a developer together with the County. The City Manager said that adequate park land already exists in that area and this is not a priority area for recreation and parks. Mayor Hanna said ordinarily he would say it should be a park except there are lots of parks in that area already. But, the area does not need public housing. He supports the acquisition while advising the neighbors that the land is acquired for temporary park land until a further use is decided. He also suggested that the staff meet with the neighbors to tell them that it will remain unimproved as open space, but is not a recreation area. He asked that the County be advised that the City will take the property and asked if they would demolish it and split the cost with us. Councilman Abrams felt that should be done if all other avenues are explored but first the City should try to put the County in touch with a developer and then retain first refusal. Councilman Freeland disagreed and said the City is then entering into another field in which they are not qualified and may not be able to deliver. Mayor Hanna agreed and said the City is not in a position to do that. Councilwoman Fordham said she might be willing to take a chance on Councilman Abrams' suggestion but for the zoning problems and the fact that it is a transitional area.

Councilman Freeland moved, duly seconded, that the City take the property and work to share the demolition cost with the County and use the property as temporary open space. The motion passed, Mayor Hanna and Councilmembers Fordham and Freeland voting aye and Councilman Abrams voting nay.

Re: Authorization for City  
Manager to execute a contract  
for the purchase of City Hall  
Telephone System

On July 7, 1981, the City received proposals from 7 phone system vendors in response to the City's Request for Proposals (RFP). Representatives of two of the largest vendors had indicated that the City's RFP was "the fairest" and "most comprehensive" RFP they had seen.

The evaluation pannel has completed a detailed analytical review of all 7 vendor proposals. The panel utilized the review process previously approved by the Mayor and Council. This process required each proposal to meet certain mandatory requirements and then to have the qualified proposals evaluated on the basis of price and the specific factors listed below, for a possible total of 1000 points.

<u>Factor</u>	<u>Potential Points</u>
Price	600
Desireable features	100
Installation approach	100
System flexibility	50
Training	50
Reputation	25
Experience	25
Warranty	25
	<u>1,000</u> Total

Councilman Abrams reiterated the question asked at citizer's forum on the loss of 100 phones. Mr. Buchman said that all systems use solid state integrated circuitry which is reliable and can be quickly diagnosed and quickly repaired. Executone guaranteed response time of under 2 hours in the event of a breakdown and agreed to designate the City as a priority site. Mr. Hobbs noted that the Company is located one block outside the City on Gaither Road. Mr. Buchman said there is "an air correction memory" feature only on ROLM. That company was given points for that. Mr. Abrams asked what the Atlantic System has that gives it the highest number of points. Mr. Hobbs said the Executone proposal was superior on listed factors and was also given 60 percent credit for the lowest price. Mr. Abrams if the telephone system might be hooked up to the computer

system. Mayor Hanna said it would not be feasible to ever hook up this particular system with the computer system. There would be a wipe out from the cost benefits; however, either system can be upgraded. Councilman Freeland noted that this proposal allows a telephone in any office to be used for input to the data base. Councilwoman Fordham said she is somewhat rankled by the presence of a vendor here this evening. There is no way that she would award a system on that basis, although she appreciates his concern, but definitely not his sales pitch. She asked why only one system of Executone Atlantic was in this area. Mr. Hobbs said it was installed at the American Satellite Company here in Rockville. It is reliable and other vendors sell this system. The equipment is reliable and the vendor will perform. Mayor Hanna asked if all the equipment is operable, debugged, etc. Mr. Buchman said yes and has been observed at the American Satellite Company. Mayor Hanna asked where the cost of conversion and installation is listed. Mr. Buchman said installation and cut over cost are part of the bid cost and it is the same on all proposals. The C&P Company agreed they will remove their equipment also. Mayor Hanna said he had a problem with the factors used in awarding the contract. It would seem that expert technical factors should have more points than price, yet the system used by the staff is the highest number of points to price. Mr. Hobbs explained that prior to the factoring process used by the staff, all companies had to meet 73 mandatory specifications in order to reach the first threshold. The awarding process then got more detailed. The Council and the staff then spent some time discussing the exact number of points awarded to each of the companies in the various factoring categories. Mayor Hanna asked the duration of time for installation. Mr. Hobbs said that the Company has agreed to do the installation 90 days after the contract is awarded.

Councilman Abrams moved, duly seconded and unanimously passed, that the City Manager be authorized to execute a 10 year lease/purchase agreement with Executone Atlantic in the amount not to exceed the quoted price in their main proposal plus the 5 percent contingency amount. The Contract should also include a 10 year service agreement. The motion also authorized the City Manager to execute a change order with the contract of the City Hall addition if necessary. And, as an alternative, the City Manager is authorized to take bids on tax exempt/lease purchase of the Executone Atlantic Phone system.

Re: Decision - Letter to Liquor  
Control Board re Ali Deli

A letter was submitted to the Council to be sent to the Montgomery County Board of License Commissioners at their public hearing on Wednesday, August 5, concerning the on-sale only application for the Ali Deli at 785 Rockville Pike. The Council agreed that the wording should be changed. Instead of saying the City has no objection, they asked the language 'will not oppose' be substituted.

On motion of Councilman Freeland, duly seconded and unanimously passed, the Council agreed to support the letter. (Councilman Abrams abstained from voting).

Re: Review of Planning Commission  
recommendation for technical  
amendment to the Master Plan

On July 15, 1981, the Planning Commission approved Resolution No. 3-81 which is a recommendation to the Mayor and Council to amend the 1970 Plan for Rockville by updating the Proposed Land Use Map. This action represents the culmination of a recommendation which the Commission had first made in its Annual Report.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the Mayor and Council approved the Planning Commission's recommendation.

On motion of Councilwoman Fordham, there was introduced upon the table, an ordinance amending the adopted Plan for Rockville to update the proposed land use map of the Plan, said ordinance to lay over one week before action is taken. The Council agreed that there was no necessity at this time for a public hearing.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Linowes and Blocher, re CEBCO, Inc., (and copy of letter in response)
2. Fallsmead Civic Association re X-84-81
3. Burgundy Knolls Neighborhood Alliance, re new officers
4. L. MacAlister, re Rescue Squad
5. E. A. Triggs, re Rockville banner
6. R. David, re Edmonston Bridge and mural
7. M. Gordon, re Civic Federation
8. M/A Communications, re CATV
9. Alice Leacock, re Edmonston Bridge
10. C. Logan, MML, re door prizes
11. County Executive, re State aid for Police protection
12. L. Arrants, re mural

## Re: Information Items

The Mayor and Council noted the following items of information:

1. Draft article on CATV
2. Copy of press release on Economic Impact of the Arts
3. Memo on Feasibility of Mini-bonds

Councilman Freeland noted that he appreciates the staff's efforts, but at this time he would not like to rule out the possibility of using mini-bonds at a later time and the subject can be activated at that time.

4. Copy of letter to Historical Society re Beall/Dawson grant

Councilwoman Fordham noted that she has been in contact with members of the Historical Society and a representative of the Historical Trust would like to speak to the Mayor and Council concerning this grant. The City Manager explained the easements that must be given if the City is to accept the grant. Mayor Hanna instructed this item to be placed on the agenda.

5. Planning Commission Annual Report
6. Copy of article on utility rates
7. Status Report from Community Resources Department
8. Status Report from Public Works Department
9. Lincoln Park Newsletter
10. Review of Energy Program
11. Memo re Antique and Classic Car Show

Councilman Freeland asked the Mayor to place this item on a future agenda and Council agreed. Councilwoman Fordham asked at the same time that the names and addresses of the car committee be forwarded to the Council.

12. Memo on Text Amendment to accommodate seasonal sales

The City Attorney spoke to the Council on the necessity of this. The City Manager disagreed and said the problem is being taken care of in house. Mayor Hanna suggested the situation should be corrected and made legal and the staff was instructed to file the text amendment.

## Re: New Business

1. Mr. Blick asked if the Council would like the staff to send a letter on redistricting since the meeting is being held on August 4. Mr. Hobbs mentioned the need to monitor the actions at this time. Councilwoman Fordham suggested the staff be guided by the principles giving Rockville the best representation it can have. Mayor Hanna agreed and said that would be three delegates with the City intact.

2. Councilman Abrams introduced an ordinance to amend Chapter 16-1.00 of the Laws of Rockville entitled "Cable T.V." The ordinance would give the City the option of tying in with Montgomery County's if it so desires. Councilman Abrams requested a public hearing on the ordinance. Councilman Freeland seconded the request for the hearing. Mayor Hanna asked Mr. Abrams if he is aware of the feelings of the majority of the Council on this matter. Councilman Abrams said he is aware, but the system is structured so that a minority opinion is recognized and a minority of the Council can request a public hearing. He added that he is attempting to promote an opportunity for citizens to express their wishes concerning Cable TV. Mayor Hanna said he will work on a date for the public hearing with the Clerk.

Re: Executive Session

There being no further business to come before the Council in general session, the meeting was adjourned for executive session to discuss personnel and property disposition.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at midnight to convene again in general session on Monday, August 3, 1981, at 8:00 p.m. or at the call of the Mayor.